THE TRIAL

OF THE

HONOURABLE

GEORGE GORDON,

COMMONLY CALLED,

LORD GEORGE GORDON,

FOR

HIGH TREASON,

AT

The Bar of the Court of KING's BENCH,

On Monday, the 5th Day of *February*, 1781,

BEFORE

The Right Hon. Earl MANSFIELD, Chief Juſtice;
EDWARD WILLES, Eſq;
Sir WILLIAM HENRY ASHURST, Knt.
AND
FRANCIS BULLER, Eſq;

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THE TRIAL OF LORD GEORGE GORDON.

The JUDGES on the Trial were,
WILLIAM, Earl of MANSFIELD,
Lord Chief Juſtice;
EDWARD WILLES, Eſq;
Sir W. HENRY ASHURST, Knt.
AND
FRANCIS BULLER, Eſq;
} Judges.

JURY, as ſworn.

Thomas Collins, of *Berner's-ſtreet.*
Henry Haſtings, of *Queen Anne-ſtreet.*
Edward Hulſe, of *Harley-ſtreet.*
Edward Pomfret, *New North-ſtreet.*
Gedaliah Gatfield, of *Hackney.*
Simon Le Sage, of *Hammerſmith.*
Joſeph Pickles, of *Homerton.*
Marmaduke Peacock, of *Hackney,*
Edward Gordon, of *Bromley.*
Francis Degon, of *Hammerſmith.*
Robert Armitage, of *Kenſington,* and
John Rix, of *Whitechapel,* Eſquires.

Council for the Crown.
Attorney General,
Solicitor General,
Meſſ. Bearcroft,
Dunning,
Howarth,
Lee, and
Norton.
Attorney,
Mr. Chamberlain, Solicitor to the Treaſury.

Council for the Priſoner.
Mr. Kenyon,
Mr. Erſkine.
Aſſiſtant Council,
Mr. Darrel.
Attorney,
Mr. Albany Wallis.

Copy of the Indictment preferred againſt Lord George Gordon by the Grand Jury.

" Middleſex.

" THE jurors for our Lord the King, upon their oath preſent, That George Gordon, late of the pariſh of St. Mary le Bone, otherwiſe Marybone, in the county of Middleſex, Eſq; commonly called Lord George Gordon, being a ſubject of our ſaid Sovereign Lord George the Third, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, &c. not having the fear of God before his eyes, nor weighing the duty of his allegiance, but being moved and ſeduced by the inſtigation of the devil, and entirely withdrawing the love, and true and due obedience which every ſubject of our ſaid Sovereign Lord the King, ſhould, and of right ought to bear towards our ſaid preſent Sovereign Lord the King, and wickedly deviſing and intending to diſturb the peace and public tranquility of this kingdom, on the ſecond day of June, in the twentieth year of the reign of our ſaid Sovereign Lord the now King, at the pariſh of St. Margaret, within the liberty of Weſtminſter, in the ſaid county of Middleſex, unlawfully, maliciouſly, and traiterouſly did compaſs, imagine, and intend to raiſe and levy

levy war, inſurrection, and rebellion, againſt our ſaid Lord the King, within this kingdom of Great Britain, and to fulfil and bring to effect the ſaid traiterous compaſſings, imaginations, and intentions of him the ſaid George Gordon, he the ſaid George Gordon afterwards (that is to ſay) on the ſecond day of June, in the twentieth year aforeſaid, with force and arms, &c. at the ſaid pariſh of St. Margaret, within the liberty of Weſtminſter, in the ſaid county of Middleſex, with a great multitude of perſons, whoſe names are at preſent unknown to the jurors aforeſaid, to a great number, to wit, to the number of five hundred perſons and upwards, armed and arrayed in a warlike manner, (that is to ſay) with colours flying, and with ſwords, clubs, bludgeons, ſtaves, and other weapons, as well offenſive as defenſive, being then and there unlawfully, maliciouſly, and traiteroſly aſſembled and gathered together againſt our ſaid preſent Sovereign Lord the King, moſt wickedly, maliciouſly, and traiterouſly did ordain, prepare, and levy public war againſt our ſaid Lord the King, his ſupreme and undoubted Lord, contrary to the duty of his allegiance, againſt the peace of our ſaid Lord the King, his crown and dignity, and alſo againſt the form of the ſtatute in ſuch caſe made and provided. And the jurors aforeſaid, upon their oaths aforeſaid, further preſent, that the ſaid George Gordon, being a ſubject of our Sovereign Lord George the Third, by the grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, &c. not having the fear of God before his eyes, but being moved and ſeduced by the inſtigation of the devil, and entirely withdrawing the love and true and due obedience which every ſubject of our ſaid Sovereign Lord the King ſhould, and of right, ought to bear towards our ſaid preſent Sovereign Lord the King, and wickedly deviſing and intending to diſturb the peace and public tranquility of this kingdom: Afterwards, to wit, on the ſaid ſecond day of June, in the twentieth year of the reign of our ſaid Sovereign Lord the now King, and on divers other days and

and times, between that day and the tenth day of the ſaid month of June, at the ſaid pariſh of St. Margaret, within the liberty of Weſtminſter, in the ſaid county of Middleſex, unlawfully, maliciouſly, and traiterouſly, did compaſs, imagine, and intend to raiſe and levy war, inſurrection, and rebellion againſt our ſaid Lord the King, within this kingdom of Great Britain, and to fulfil and bring to effect the ſaid laſt-mentioned traiterous compaſſings, imaginations, and intentions of him the ſaid George Gordon, he the ſaid George Gordon, on the ſaid ſecond day of June, in the twentieth year aforeſaid, and on divers other days and times, between that day and the tenth day of the ſame month of June, with force and arms, &c. at the ſaid pariſh of St. Margaret, within the liberty of Weſtminſter, in the ſaid county of Middleſex, with a great multitude of perſons whoſe names are at preſent unknown to the jurors aforeſaid, to a great number, to wit, to the number of five hundred perſons and upwards, armed and arrayed in a warlike manner, (that is to ſay) with colours flying, and with ſwords, clubs, bludgeons, ſtaves, and other weapons, as well offenſive as defenſive, being then and there unlawfully, maliciouſly, and traiterouſly aſſembled, and gathered together againſt our ſaid preſent Sovereign Lord the King, moſt wickedly, maliciouſly, and traiterouſly did ordain, prepare, and levy public war againſt our ſaid Lord the King, his ſupreme and undoubted Lord, contrary to the duty of his allegiance, againſt the peace of our ſaid Lord the King, his crown and dignity, and alſo againſt the form of the ſtatute in ſuch caſe made and provided."

Mr. Norton opened the indictment in the uſual way; he was followed by the

Attorney General, who ſaid, that the priſoner ſtood charged with the higheſt offence that a ſubject could commit, that of high treaſon. There were two kinds of this crime under the Act of Edward III. that of levying war againſt the perſon of the King, and the other was conſtructive treaſon; which crime was conſtituted

ſtituted by perſons aſſembling in multitudes, and attempting, by forcible means, to controul the freedom of Parliament, and ſtriving to extort from them either the repeal of an actual law, or to make a new one. The Jury muſt remember the very remarkable attempt that was made in the laſt ſummer to procure the repeal of the Act lately paſſed, giving ſome indulgence to the unhappy Roman Catholics in this country, oppreſſed under the weight of an Act, paſſed in K. William's Reign. This Act he deſcribed as the moſt cruel and oppreſſive in its nature; and he enumerated the reſtrictions which it laid upon Romnn Catholics, and the penalties it inflicted. Though it exiſted, yet ſuch was the national ſenſe of its ſeverity, that it was very ſeldom put in force. In the year 1778, one of the beſt men in this country, Sir George Saville, brought in a bill, containing exemptions from the ſeverities of that Act, which Bill was paſſed. He then noticed the proceedings of the Proteſtant Aſſociation, their preſenting the Petition to the Houſe of Commons on the 2d of June laſt. The cavalcade he deſcribed as a regular military body, with arms and diſcipline, who marched in array, carrying flags and enſigns, and having muſic, for the Scotch diviſion had a bagpipe. He next related all the proceedings and outrages of the mob for the four days of their rage; and having done this, he came to ſtate what ſhare the noble Priſoner had in all this ſcene of violence, war and horror. Gentlemen, ſays he, I believe you have now before you the author of all theſe crimes. It is not often that a man who has committed ſo great an offence comes before a Jury; he conceived that the perſon who contributed to the crimes, who was the ſcource of the whole tranſaction, as much more criminal than any of the active men concerned in the leſſer departments. He was Preſident of the Aſſociation. He called, by public advertiſement, 20,000 men together, and declared that he would not preſent the Petition without that number. He ordered them to come with blue cockades; he arranged them into diviſions; and to inſpire them with

confidence,

confidence, he told them, " to recollect what the Scotch had done, and what they had gained by their enterprize and firmneſs; and that he invited them to no danger, which he was not willing to ſhare; and he would ſupport them in their attempt, at the hazard of his life." He conſidered the whole of the ſubſequent outrages as flowing from this cauſe; for a man who turns out a wild beaſt, he conſidered to be anſwerable for all the murders that the creature ſhould commit. He then ſtated ſeveral other acts done by the priſoner, as circumſtances of corroboration; ſuch as giving protections to ſeveral merchants in the city, which had ſecured their property from deſolation, and theſe protections, ſigned by himſelf, ſhewed there was the plaineſt connection between him and the army: He further added, that he meant to adduce evidence to prove theſe facts, and truſted, that, by the evidence to be produced, the Jury would find the priſoner guilty of the crimes laid to his charge.

William Hay. I know the priſoner. I have ſeen him at Coachmakers-hall, at Greenwood's Rooms, the Crown and Rolls in Chancery-lane, and St. Margaret's-hill, Southwark, to which places the Proteſtant Aſſociation had adjourned. I heard the priſoner announce, to a crowded aſſembly at Coachmakers-hall, on the 29th of May, that the Aſſociated Proteſtants amounted to upwards of 40,000; that the 2d of June was reſolved upon as the day to preſent the Petition; that they ſhould meet on that day at ten in the morning, in St. Georges's-fields, in four ſeparate diviſions, or columns, arrayed, or dreſſed, in their beſt cloaths, and with blue cockades, one of which he ſhould wear, to diſtinguiſh them from others who were papiſts, or friends to papiſts; he gave orders how the different bodies ſhould take their ground. I recollect that at a meeting held at the Crown and Rolls, he read over the acts relating to the papiſts; and obſerved that his Majeſty, by giving his aſſent to the Quebec, and other acts, had been brought by his counſellors, into the ſame predicament with James the Second after his abdication.

cation. The priſoner alſo read the coronation-oath, and ſaid it was his opinion, that the King had made a breach of that oath. I was in St. George's Fields on the ſecond of June. I had never ſeen ſo many people together before; they had blue cockades and banners, with the words "No popery! Proteſtant Aſſociation," written upon them. I ſaw the priſoner haranguing the mob, but I was not near enough to hear what he ſaid. I came to my houſe next to St. Dunſtan's church, and ſaw them march through Fleet-ſtreet, with cockades and banners. I was afterwards at the Houſe of Commons, and in the lobby I ſaw the ſame kind of people with cockades. It was much crowded, and the conſtant chime was, "Lord George Grodon." I ſaw the priſoner leaning from the gallery over the lobby, he ſpoke to them, and exhorted them to be ſteadfaſt in ſo good and glorious a cauſe; and ſaid, though there was little expectation from the Houſe, they would meet with redreſs from their mild and gracious Sovereign. I ſaw one of the flags at the burning of the Fleet Priſon, with the words "No Popery" upon it, which I had ſeen in St. George's Fields; it was carried by the ſame perſon who had it in St. George's Fields, and at the Houſe of Commons—the flag pointed him out to me to be the ſame man. I was at the Sardinian Chapel on the Friday night about ten o'clock, and I ſaw many people who cried, "No Popery," and had blue cockades; ſome few were doing miſchief in the chapel, but I did not ſee that they had cockades: the man who did the principal miſchief had no hat on. The people without ſeemed to encourage them.

Croſs Examination.

Q. What are you, Sir?

W. A printer on my own account, and have been a bankrupt.

Q. Was the priſoner at all the aſſociation meetings you attended?

W. Not at all; he was at Greenwood's once, and the Aſſociation was there once without him.

Q. Are you ſure the priſoner was at Greenwood's?

The

The witneſs begged leave to refer to his notes, which was granted him.

W. I find I was miſtaken; the priſoner was not at Greenwood's.

Mr. *Kenyon*, upon the witneſs's deſiring leave to refer to notes, aſked him how he came to take notes, and go to the meetings?

W. I thought what would be the conſequence of the meetings, and I went on purpoſe to obſerve. I never go to any meeting without a motive, and taking an account of what paſſes.

Q. When did you firſt apprehend theſe conſequences would enſue?

W. At a meeting on the 20th of February, but I took notes from the firſt.

Q. Did you ever, and when, take notes of any other meeting, upon any other ſubject, which you were at?

W. Yes, many times; I did ſo at the general aſſembly of the church of Scotland, more than twenty years ago.

Q. What time did you come to the lobby of the Houſe of Commons?

W. I think about ſix or ſeven; but I was confuſed, and cannot be very certain.

Q. Were there not many perſons who came there out of curioſity?

W. There might be ſome, but not many. I went there, thinking ſome of my friends might be in danger; but what friends in particular I cannot ſay. One Mr. M'Millan went with me to the Sardinian chapel; we were coming through Covent Garden; ſome people ſaid they were burning the chapel, upon which we went there. I alſo took my apprentice with me.

Q. How do you know that the flag which you ſaw in St. George's Fields, was the ſame that you ſaw in Fleet-Street, and afterwards near the Houſe of Commons.

A. The flags paſſed by me as I was in the road in St. George's Fields. I ſtood upon the leads of my houſe, and ſaw them paſs by there. I think the man

that

that carried the flag had black hair, and looked like a brewer's ſervant in his beſt cloaths.

Q. Of what religion are you?

W. I am of the church of England.

Q. You ſay you had formed an opinion of what would be the conſequences of theſe meetings: Did you ever communicate that opinion or your thoughts upon the ſubject to any one?

The witneſs heſitated for ſome time; but at laſt ſaid, I ſent my thoughts in writing to Mr. Butler, of Lincoln's Inn. I have heard he is a Roman Catholic, but I don't know it.

William Metcalfe. I know the priſoner. I was at Coachmakers-hall the day when the meeting in St. George's-fields was fixed upon. The hall was full. I did not then know the purpoſe of the meeting, only, that the priſoner was to be there. He was ſpeaking when I came in. He ſaid, the Scotch had ſucceeded by their unanimity, and he deſired they would be unanimous; that no one who had ſigned the petition ſhould be aſhamed or afraid to ſhew himſelf in the cauſe; that he would not preſent the petition, or he begged leave to decline preſenting it, unleſs he was met in St. George's Fields on the ſecond of June by twenty thouſand people; and he recommended to them to come with ſome proper mark of diſtinction, ſuch as a blue ribband in their hats, that they might be able to diſtinguiſh their friends from their foes, and he would be anſwerable for any of them that ſhould be moleſted for meeting there, for that he wiſhed ſo well to the cauſe he would go to the gallows for it, and that he would not preſent the petition of a lukewarm people. He told them when they met in the fields, to ſeparate in four diviſions, and each to take one quarter of the fields. I was there about half paſt ten: there were four columns, and one was formed eight or nine a-breaſt: many of them had ribbands in their hats; the priſoner was ſurrounded by a vaſt number of people, to whom he was ſpeaking, but I was not near enough to hear what he ſaid.

Croſs Examination.

Q. Are you certain as to the expreſſion of the priſoner, that he would go to the gallows in the cauſe?

W. I am not ſure as to the exact expreſſion; but he ſaid he was ready to go to the gallows, or to death for it, or in it, or to that import.

John Anſtruther, eſq. I was at Coachmakers-hall at the end of May, 1780; I ſaw the priſoner there; I underſtood him to be acting as preſident; he deſired them to meet him in St. George's Fields; and he ſaid, if there was one leſs than twenty thouſand people he would not preſent the petition; as, without that number, he did not think it would be of conſequence enough: if there were fewer, they muſt find ſome other perſon to deliver it. He recommended them to the example of the Scotch, who, by their firmneſs, had carried their point; and concluded with telling them, he did not propoſe any danger to them he would not ſhare himſelf; and that he was ready to go to death for the proteſtant cauſe.

Lord Mansfield. Did he ſay "death?"

W. I rather think the word was "gallows." He deſired all true proteſtants, and friends to the petition, to diſtinguiſh themſelves by blue cockades, and that he would meet them in St. George's Fields. I was in the Lobby of the Houſe of Commons, and ſaw the priſoner leaning over the gallery which looks into the Lobby; I heard him addreſs the people from that place; he told them they had been called a mob within the houſe, and that peace officers had been called in to diſperſe them (I think he ſaid) "peaceable petitioners;" that the officers had given no reaſon to the Houſe why they had not diſperſed them, but he believed the peace-officers had ſigned the petition; that certain perſons had mentioned within the Houſe about calling in the military, he hoped they would not think of taking a ſtep of that ſort, as it would infallibly tend to create great diviſions amongſt his Majeſty's ſubjects; and then he went on ſtating the impropriety of calling in the military in a free country. There

was

was great confuſion in the Lobby, and ſeveral people called upon the priſoner to know whether he deſired them to diſperſe; he anſwered, I will tell you how the caſe ſtands:—The queſtion has been put, whether your petition ſhall be taken into conſideration now or on Tueſday; there are *for* taking it into conſideration *now* myſelf and a few others; if your petition is not heard *now* it may be loſt; for to-morrow the Houſe does not ſit; Monday is the King's birth-day, and by Tueſday the parliament may be prorogued or diſſolved. The people addreſſed by the priſoner had blue cockades.

The Rev. Thomas Bowen. I officiated as chaplain to the Houſe of Commons, on the 2d of June, 1780; I went with the ſpeaker; the lobby was crowded, and the people were clamorous. After prayers were over, I went and ſat under the gallery, by the door: I ſaw the priſoner frequently go to the door; and heard him repeat, to the people in the lobby, what different members had ſaid in the debate. He ſaid, the ſpeaker has juſt ſaid, "you are all come here under the pretence of religion," but you are good people. He added, "Mr. Burke, "the member for Briſtol, has ſaid"——. The door was then ſhut, and I heard no more. He afterwards ſaid, "Mr. Rous has juſt moved, that the civil power "be ſent for," but keep yourſelves cool, and be ſteady. At another time he ſaid, "Lord North calls you a mob." I ſaw a gentleman go up to the priſoner, then ſtanding at the door, who ſeemed to me to be perſuading him to return to his ſeat. As ſoon as the priſoner ſaw who it was, he called out to the people, "this is Sir Michael "Le Fleming, he has juſt been ſpeaking for you" The priſoner ſeemed extravagantly pleaſed with him, and ſtroked or patted him upon the ſhoulder, and expreſſed great joy in his countenance, ſuch as I don't know how to deſcribe. When the queſtion was called for in the Houſe, I went out. During the confuſion occaſioned by the people refuſing to quit the lobby, I was in an adjoining room, and ſaw ſome gentlemen perſuading the

people to retire. One of them aſked me to ſpeak to them: accordingly, I ſpoke a few words, and told them, that they hindered their own buſineſs. I heard a perſon in the lobby ſay, very diſtinctly, that if the priſoner would come, and ſay it was neceſſary for them to go, they would go. Afterwards I went up into the eating room; ſoon after, the priſoner came into the room, ſeemingly much fatigued: I told him what had been ſaid in the lobby, and that I believed it depended only on him to diſperſe them: the priſoner made no anſwer, ſoon afterwards he left the room, and I followed him into the gallery: he adviſed them to be quiet, peaceable, and ſteady, for his Majeſty was a gracious monarch; and, ſaid he, when he hears that his people for ten miles round are collecting, there is no doubt but that he will ſend his miniſters private orders to repeal the Bill. The Scotch, he ſaid, had no redreſs till they had pulled down the maſs houſes, and that when they had pulled down the maſs houſes, they had redreſs; that Lord Weymouth then ſent poſitive aſſurances, that the act ſhould not be extended to them. And why ſhould they, ſaid he, be better off than you? He told them to beware of evil-minded perſons, who would mix amongſt them, and incite them to do miſchief, the blame of which (I think he ſaid) will be imputed to you. A perſon in the lobby aſked the priſoner, if it were neceſſary for them to retire.

Q. *A Juryman.* Had that perſon a cockade?

W. I did not ſee the perſon. I will tell you, ſays the priſoner, how the matter is. The queſtion was put, that your petition ſhould be taken into conſideration this night; it was clearly againſt you, but I inſiſted upon dividing the Houſe. No diviſion can take place while you are there, go or not, I leave it to yourſelves. Then he aſked me if I would ſpeak to them, I ſaid by no means; your Lordſhip is the only perſon who can ſpeak to them with any good effect. The priſoner then took me by the gown, and ſaid to the people, this is the chaplain to the Houſe of Commons, and deſired them to aſk me what

was

was my opinion of the popiſh acts, and urged me to give it. I replied with warmth, that the only opinion I ſhould give, was, that all the conſequences of that night, would be entirely owing to his Lordſhip. Several gentlemen who were about us, repeated my words. The priſoner made no reply, but went into the Houſe. The people often called, "Lord George Gordon, Repeal! repeal!" Their conduct was clamorous, but I do not know that they committed any particular act of violence. I ſtaid till the Houſe broke up; the paſſages were then clear; I don't know how they were cleared, but I ſaw ſome ſoldiers there.

Croſs Examination.

Q. Did you take any note, or minute, of what you have now ſaid?

W. I ſent the Speaker an account of what paſt.

Q. Were you, in this confuſion, ſo compoſed as to know clearly what paſt?

W. I was perfectly compoſed; and I had no apprehenſions of any danger, until, or except, when the priſoner aſked me my opinion of the Popiſh acts.

John Cator, Eſq; On Friday the 2d of June, as I was going from ſome of the committee-rooms to the gallery over the lobby, I found the lobby full, and the Houſe was under a queſtion, which they could not decide, as the officers of the Houſe were not able to clear the Lobby. There, in the paſſage, at the top of the ſtair-caſe, I ſaw and heard a perſon in the Lobby call aloud, "Lord "George Gordon," two or three times. I turned round, and ſaw the priſoner near me; who, on hearing himſelf called, came to the rails, and looked over. I did the ſame cloſe to him. The ſame perſon ſaid, "My Lord, we are ordered to clear the Lobby; if your lordſhip wiſhes we ſhould clear it, we will do it directly, and without trouble." The priſoner replied, I will tell you how the caſe ſtands: I have moved to have your petition taken into conſideration now; there is Alderman Bull, and two or three more, for it; the reſt are againſt it. Do you wiſh

to

to have your petition conſidered now? All the people in the Lobby were ſilent and attentive while the priſoner was ſpeaking; but as ſoon as he had ſaid this, they cried out, "Now, now." He leant over the rails afterwards, and ſaid, "Would not you wiſh to be in the ſame ſituation they are in Scotland?" They anſwered, "Yes, yes." He replied, "Well, well."

Joſeph Pearſon, a door-keeper of the Houſe of Commons. I was in the Lobby on Friday the ſecond of June; there was a great crowd, and many of the people had blue cockades in their hats; they halloo'd and cried out, "No popery; Repeal, repeal." The priſoner came to the door ſeveral times, and told them that he would come out, and let them know what paſſed in the Houſe; that they had a good cauſe and nothing to fear. He came out once and told them, that Sir Michael le Fleming had ſpoken like an angel; he deſired them to behave quiet and peaceably, and waved his hand for them to make room and let members paſs to the Houſe. The mob was got out of the Lobby about nine o'clock, but ſo great was the confuſion I cannot ſay how it was cleared.

Thomas Baker, another door-keeper. I was at the Houſe that day by twelve o'clock:—there were many people there, who were then quiet, but were afterwards riotous, and called out to the members as they were coming into the Houſe, "Repeal, no popery." They were got away at night when the guards came.

Sampſon Wright, eſq. I am a juſtice of the peace for the county of Middleſex. I came down to the Houſe about two o'clock; the people were then quiet. I returned again about four, and I was ordered to clear the avenues of the Houſe of Lords. I deſired the door-keepers to collect together what conſtables they could, and I went to the Guildhall, Weſtminſter, for the ſame purpoſe. When I came there, I found the windows much broken, and many people about the Guildhall, as if ſeeking for ſomebody. There was the greateſt crowd I ever ſaw. I returned to the Houſe of Lords to make a report

report that I could not do any thing for want of ſtrength. I was ordered to go for the guards; accordingly I ſent to the Horſe-guards, St. James's, and the Savoy. I afterwards went to the Houſe of Commons; the Houſe of Lords was up; the guards came, and at laſt I cleared the Lobby and the avenues: it was paſt eight o'clock before they were cleared.

Sampſon Rainsforth. I was in New Palace-yard, Weſtminſter, on Tueſday, the 2d of June; a party of about two hundred came over Weſtminſter-bridge, and about two o'clock the whole *Cavalcade* came from Charing-croſs down to New Palace-yard, with flags and muſic; they had blue cockades in their hats. I went to the Lobby of the Houſe of Commons, and ſaw the priſoner ſtanding in the door-way of the Houſe. The people in the Lobby were ſuch as had paſſed through New Palace-yard. I heard a perſon inſtruct the mob to ſay, "Repeal the Bill," but I did not hear the priſoner ſay any thing. About eleven o'clock at night, word was brought to the Houſe were I was at ſupper with two or three friends, that the mob was burning the Sardinian chapel. I ſaid to my friends, if they would go with me, I would go to the chapel, and endeavour to ſtop the miſchief; and that I thought we ſhould be able to do ſo if we exerted ourſelves, as I believed them to be a ſet of fellows who would ſoon run away; accordingly we made our way to the chapel; they were then deſtroying it; there were not more than five or ſix in the chapel. I ſeized one of them, but afterwards he was reſcued by the mob.

Mr. Kenyon objected, on the behalf of the priſoner, that this evidence was not admiſſible, and that what was done by the people at the chapel could not poſſibly affect the priſoner.

Lord Mansfield ſaid it was proper evidence, for it proved the violences that had been committed, and went to ſhew that they endeavoured to procure a repeal of the bill.

Witneſs. There were many people about the chapel, and their cry was—No Popery: they had blue cockades

in

In their hats. I ſent to the Savoy, and got a guard. When they came they ſurrounded the chapel, and I deſired that all that were in it might be ſeized: we took about thirteen, and the mob was diſperſed. The perſons whom we had taken were examined the next morning; they were again examined on the Monday; but I did not give any evidence againſt them: the inſide of my houſe was pulled to pieces, and my furniture was burnt.

Charles Jealous. I acted as conſtable on the 2d of June, and I was in Palace-yard, Weſtminſter. I ſaw a great many people, and a carriage coming down towards the Parliament Houſe, which, I was told, was the Biſhop of Lincoln's: it was ſtopped by the mob, and the wheels were taken off. I ſaw a gentleman taken out of it, who, they ſaid was the Biſhop: they pulled off his wig, and ſtruck him in the face, crying at the ſame time, "No Popery." He got into a houſe in order to eſcape. The people who pulled off the wheels had not cockades.

Patrick M'Manus. I was at the Guildhall, in King-ſtreet, on the ſecond of June; I was ſent for from Bow-ſtreet; I ſaw a gentleman running through the paſſage, followed by people, crying out, "No Popery." I don't know who the gentleman was, but I heard it was Mr. Welbore Ellis. The people ſearched after him, and broke down a door leading into a paſſage, where they ſaid he was gone through, but they did not find him.

David Miles. I am a conſtable. Upon hearing that a mob was burning the chapel in Warwick-ſtreet, I went there at paſt eleven o'clock, from the Houſe of Commons. I came to my own houſe, but the mob was gone from Warwick-ſtreet before I got there. I took a man to be examined at Bow-ſtreet, for burning or robbing the chapel. My houſe was afterwards burnt by the mob.

Thomas Gates, the City Marſhal. There was a great diſturbance on the evening of Sunday the 4th of June, in White's-alley, Moorfields. I was there. Three houſes belonging to perſons reputed to be papiſts, and the papiſh chapel were burnt. They came again on the Monday

Monday to finiſh the miſchief. The perſons on each day had blue cockades, in general, and the cry was "No popery."

William Hyde, eſq. I am a juſtice of the peace for Middleſex. I was at the Bavarian chapel, whilſt it was deſtroying; as ſoon as I came to Warwick-ſtreet, I ſaw many people with blue cockades. I knocked down a man that was bringing ſomething out of the chapel; the cry was—down with it, no popery. I had about twenty ſoldiers with me, and we diſperſed the mob. I was alſo at the Sardinian chapel on the Sunday, and ſaw the outrages committed there. I cannot ſay whether thoſe people had blue cockades or not. Information came to me, on Monday, that the mob was going to deſtroy Sir George Saville's houſe, in Leiceſter's fields; upon this I immediately ſent for the military; ſome of the horſe came, and they, under my direction, diſperſed the mob They cried out, No popery. On the Tueſday a great multitude were aſſembled in Palace-yard, and the ſtreets leading to the Houſes of Parliament; ſeveral carriages were ſtopped in New Palace-yard, which I ſet at liberty. Information was brought to me, that Lord Sandwich had been ſtopped in Parliament-ſtreet; I went immediately with the light horſe, and found the mob round about him; his carriage was broken, and he had been cut on the left-ſide of the head by ſome of the mob; I reſcued him, and took him home; I then came back into Parliament-ſtreet, cleared it as well as I could, and got into Palace-yard again. The mob cried, No popery. They had blue cockades in their hats, and flags flying, and about three o'clock they had got ſome weapons, that is, ſome large faggot ſticks, and there were many thouſands of them. My houſe in St. Martin's-ſtreet was deſtroyed on the Tueſday night, and my houſe at Iſlington on the Wedneſday.

Croſs Examination.

Q. Did you ſee the people cut my Lord Sandwich in the face?

W. I did not; it was done before I came. I heard one man ſwear that he would murder him, but I don't know who he was.

Lord Portcheſter. There was a great aſſembly of people at the Houſe of Commons, who had blue cockades. I ſaw the priſoner on the Friday in the Houſe only. On the Tueſday he had a blue cockade in his hat?

John Lucy. I was in Palace-yard in the evening of Tueſday. There was a great mob, who had blue cockades in their hats. They cried out, No popery, and had three flags with them. One James Jackſon carried one of the flags: he waved it, and called out, "To Hyde's, hoa! deſtroy his houſe for ordering the horſe to ride in amongſt us." I went to Hyde's houſe, and ſaw the ſame Jackſon there with the flag. Goods were thrown out of the houſe and burnt, and the inſide pulled to pieces. The ſame man afterwards called out, "Hoa! for Newgate, and let out the priſoners." I ſaw the mob and him there with the flag.

Barnard Turner, captain of the London Foot Aſſociation. On Wedneſday the 7th of June, about ſix or ſeven o' clock in the evening, the Military Aſſociation were under arms. They marched into Broad-ſtreet, where the mob were deſtroying a houſe. I halted. I was commanding officer. I ſpoke to the people, and endeavoured to diſperſe them by words; but finding that ineffectual, I was obliged to order the Aſſociation to fire. They fired for four or five minutes before the mob diſperſed: they then marched to St. Catharine's, where the mob were burning another houſe. The Aſſociation were employed on the Wedneſday and Thurſday morning, in marching after the mob, who were armed with bludgeons, iron bars, and ſome with cutlaſſes and fire arms; but chiefly with bludgeons and iron bars. The Aſſociation aſſembled on Thurſday morning, when Cheapſide was filled with mob; but then they had no arms. The common cry at all theſe places was, "Down with the Papiſts! No popery!"

Richard Pond. This witneſs was ſhown a paper, which

which was to this effect: "All true friends to the proteſtants will do no injury to the houſes or property of good proteſtants; and I am aſſured, the proprietor of this houſe is a ſtaunch friend to the cauſe."

Signed, G. Gordon.

I ſaw the priſoner ſign this paper. When the mob came to my houſe I ſhewed it to them, and my houſe was not pulled down: I do not live in the houſe myſelf, but I let it to a tenant.

Croſs Examination.

Q. When was this paper ſigned?

W. On the Wedneſday.

Q. How did you get it ſigned?

W. I applied to the priſoner, who was in his coach, and alderman Pugh was with him. I brought the paper with me ready written.

Q. Why did you apply to the priſoner to ſign this paper?

W. Becauſe I thought it would be of ſervice to me—my tenant is a papiſt.

Q. Do you know that that paper was the means of ſaving your houſe?

W. I cannot ſay whether it was, but I ſhewed it to the mob, and my houſe was not burnt.

Q. How came that paper out of your cuſtody?

W. Mr. Wilkes applied to me for it, and I let him have it.

The council for the crown then called General Skeene to prove the riots in Scotland. The priſoner's counſel objected to this evidence—that it was extraneous to the priſoner's conduct, and he had no connexion with the riots in Scotland, if there had been any.

The Attorney General contended, that the ſaid evidence ought to be admitted; for as it had been proved that the priſoner had often alluded to the conduct of the Scotch, and ſet it up as an example to the Aſſociation here, evidence to ſhew what that conduct was became neceſſary.

Lord Mansfield read ſome of thoſe expreſſions which had been proved, and delivered the opinion of the court, "that the evidence which had been offered ought to be admitted."

General Skeene. I was at Edinburgh in the month of February, 1779; there was a great diſturbance, and the mob pulled down and burnt the Popiſh chapel, and the houſe of a popiſh prieſt, called Biſhop Hay. Their cry was, "To pull down popery." I believe the military were called in to quell the mob.

Croſs Examined.

Q. Did you ſee the houſe or chapel ſet on fire?

W. I did not; I knew nothing of the motives of the mob, but from what I heard.

Hugh Scott. I was at Edinburgh in the year 1779; there were great riots, and much miſchief was done; but I did not ſee it done.

Robert Grierſon. I am a ſervant of the Duke of Buccleugh; I was in Edinburgh in the month of February 1779, and ſaw a Roman Catholic chapel burning; I was about two hundred yards diſtant, but I did not ſee it ſet on fire.

William Mackenzie. I was at Edinburgh in February 1779; I ſaw the Popiſh chapel there on fire; there was a great mob about it, but I did not ſee it ſet on fire, nor do I know who did it.

Here the evidence cloſed on the part of the proſecution.

The Priſoner's Defence.

Mr. Kenyon opened the priſoner's caſe, by hoping the jury would diſtinguiſh between the caſe of the priſoner as it ſtood on the evidence, and as it was repreſented in the ſpeech of the King's counſel. Their candour and juſtice would point out to them the duty of looking to the motives that had actuated the noble Lord; and they would pay a very material regard to the diſtinction that ſubſiſted between two tranſactions that had been ingeniouſly, though cruelly, blended together. In order therefore, to lead them to the diſcovery of the noble Lord's

motives,

motives, they would conſider that the noble priſoner was a member of one of the moſt ancient and exalted families in this country, high in birth, and reſpectable for their loyalty and moral virtues.

He then reviewed the evidence that had been brought in ſupport of the proſecution, beginning with that of William Hay. The evidence of this witneſs was exceedingly ſuſpicious. He had acknowledged himſelf in ſeveral inſtances to be in the wrong, particularly with reſpect to his having ſeen Lord Gordon at Greenwood's rooms. After ſwearing poſitively that he had ſeen him there, he confeſſed he was in the wrong, and that he had not ſeen him. He was a man who frequented public places, he could not tell for what reaſon, but he conſtantly went from place to place with the inquiſitorial intentions of a ſpy, and he made minutes of what was done. He had ſaid that Lord George had declared, that the King, by aſſenting to the Quebec and to the late act, was brought into a ſituation ſimilar to that of James II. after his abdication. This was a truly curious aſſertion. Could the jury believe for a moment that a man of ſenſe could utter it? What relation under heaven was there between his Majeſty and the unhappy James? It was a wanton aſſertion, unſupported, and which, he truſted, would be diſbelieved; for the Jury would conſider, that when men came ſingly to points of ſuch importance, a ſuſpicion is to be inferred. The Jury were to take the probability of evidence into their conſideration; they were to remember, that all might not be true which was ſworn to, ſince it was a lamentable fact, exemplified in the experience of every day, that men came into the courts of juſtice, and ſwore to falſehoods. The aſſertion alluded to was ſaid to have been made in a public room, where hundreds were preſent, and where hundreds might hear; and yet not one more witneſs was brought to confirm the evidence, although the Solicitors for the Crown had taken ſo much pains in preparing their proofs. This was a plain indication that they could not procure any

other

other evidence to this fact. Mr. Metcalfe's evidence proved no material charge againſt the priſoner. He had heard him ſay that he would go to the gallows for the cauſe, at the meeting. He *had* heard this, but he had *not* heard the reaſon for the aſſertion, which was owing to a contrariety of opinion about the legality of more than a certain number's ſigning and preſenting a petition to the Houſe of Commons. This doubt aroſe from the ſtatute of Charles II. limiting the number, and the queſtion was, whether it was ſtill in force? Lord George declared it was not; that it was repealed by the revolution. It was on this ground that the noble Lord had ſaid, that he would pledge himſelf on the legality of the matter, and would go to death on the truth of his opinion. Mr. Anſtruther, in the evidence which he had given, was exceedingly fair and candid, and reſpect was to be paid to him, becauſe he was a gentleman of character. He had heard Lord George recommend temperance to the people, as the beſt ground of conduct to inſure ſucceſs. Witneſſes had ſaid, that there were other perſons in the place beſide the Proteſtant Aſſociation. Mr. Rainsforth had proved this, and it would be proved more particularly. But he had ſaid, that a Colonel Miles, a man whom nobody ſuſpected to belong to the Proteſtant Aſſociation, was there, inſpiring the people. There might be others, and thoſe men were the inſtigators of the tumults. Was Lord George Gordon to be found guilty of crimes which belonged to another? As to all the hearſay ſtories which Rainsforth and Hyde had told about the Biſhop of Lincoln, Lord Sandwich, and ſo forth, it was totally impertinent and foreign, ſince they ſpoke not from perſonal knowledge.

One material point with the Jury was to enquire, whether guilt had been imputed to any one of the priſoner's aſſociates? Had any one of them been convicted of aſſiſting the riots in any degree? Not one. The officers of the crown had been properly anxious to make every enquiry into the tranſactions; and they had not found

that

that the members of the Proteſtant Aſſociation were, in any degree, connected with the rioters, or concerned in the outrages which were committed. That there were outrages of a ſhameful nature, which reflected diſgrace on the government of this country, by being ſuffered to grow to ſuch exceſs, was too true; but if other men, and not the noble lord and his aſſociates, took advantage of their peaceable conduct, he was not anſwerable for conſequences to which he did not contribute.

He oppoſed the doctrine of the Attorney General, "that a man who turned a wild beaſt looſe into the world, if the beaſt ſhould kill a man, he who turned it looſe was guilty of murder." He admitted, it would be ſo if he turned him into a room, and ſuch accident were to happen; but if turned looſe in the world at large, it was not ſo. The Attorney General would not ſay ſo again, for it was not the law of the land; he would not ſay it again, becauſe it would prove he was as deſtitute of law as of humanity; but if this had been the caſe, it would not apply to the Proteſtant Aſſociation, of which his lordſhip acknowledged himſelf the preſident. They had choſen him for his rank and his virtues.

They ſaw in him thoſe moral principles, and that virtuous life, which would become the head and leader of an Aſſociation, formed in motives of piety. After he had accepted of this office, he had often had the mortification of hearing in the Houſe of Commons, reproaches thrown out againſt the Aſſociation, and againſt the petition that they were about to preſent——that it would not be ſigned by men, but by names, and imputed motives to the petitioners that were diſgraceful. It was for the purpoſe of undeceiving thoſe who were beguiled by this aſperſion, and of giving Parliament a full idea of the reality and the ſerioufneſs of the petition to be preſented to them—that he invited the Aſſociation to accompany their petition to the Houſe. But they formed no army; they came with no array; with no weapons; with no hoſtile intentions; they met at ten o'clock in the morning, becauſe that was an

hour

hour of ſobriety, and they behaved themſelves peaceably throughout. But in reſpect to the protection which had been produced to ſhew that he had an intereſt with the multitude; the ſtory of that circumſtance would aſtoniſh the Jury. Lord George, alarmed and filled with horror and conſternation at the ſcene of devaſtation which ſucceeded through the intrigues of villains, deſired to have acceſs to his Sovereign for the purpoſe of aſſuring his Majeſty, that the people with whom he had been connected, were not the authors of the evils, and that they poſſeſſed the pureſt ſentiments of loyalty and reſpect for the government and the laws. The Secretary of State would be called to prove, that this was the ground of the application; he was not admitted, but of this he did not complain. He was given to underſtand, "that in order to deſerve well of his Sovereign, he ſhould exert himſelf on the occaſion; and he was deſired to go into the city, and do what he could to put a ſtop to the horrors as a teſt of his duty." In conſequence of this he went with a civil Magiſtrate, and endeavoured by every conciliating effort to ſtop the current of diabolical rage. In the courſe of his paſſage he was applied to, while in the carriage, and deſired to ſign a paper, which was preſented to him, and the perſon ſaid "it would contribute to put an end to the outrages." What could he do? He could not refuſe. It would have been conſtrued into bad deſign; he ſigned it with the beſt of motives, and yet this paper ſo obtained, and ſo intended, was now produced againſt him. He thought there was ſomething exceedingly indirect and uncandid in this part of the evidence.

The learned gentleman concluded with appealing to the jury, truſting that they came there with no prejudices; and that they would hear and decide on the evidence, wiſely and deliberately, without partiality or haſte; and whatever faults the noble Lord might have of warmth of temper, enthuſiaſm, or youthful ardour, they would yet free him from every imputation of hoſtility to the government of this country. The firſt evidence he called was

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The Rev. Eraſmus Middleton. I am a clergyman of the church of England, and lecturer of St. Bennett's. I am a member of the Proteſtant Aſſociation, and have been ſo from the time of its firſt eſtabliſhment, which was in the month of February, 1779. In conſequence of the bill of repeal, brought in by Sir George Saville, and paſſed the year before, a few perſons met at Coachmakers-hall, for the purpoſe of preventing the growth of popery. To this end we publiſhed little books, and enquired into the ſtate of the ſchools, and the encreaſe of popery. The Aſſociation was to be open to all proteſtants, and to meet quarterly. In the months of January, April, July and October, ſeveral meetings were held, and we propoſed the Proteſtant Aſſociation of 1696, which was lodged in the Tower, as an example for us. We publiſhed, in the month of November 1779, an appeal to the public. The Biſhop of Litchfield was requeſted, by the Society, to permit two ſermons of his to be printed and diſtributed; but he declined that, as there were other publications likely to have a better effect. On the 19th of November we wrote to Lord George Gordon, ſoliciting him to become our Preſident; to which he returned an obliging anſwer, accepting of our offer. In the ſeveral meetings which were had, his lordſhip always demeaned himſelf as a loyal ſubject. I looked upon his conduct with a degree of jealouſy, and never could ſee that he had any thing in view, but to procure a repeal of the bill by all lawful means, and to promote the intereſt of the Proteſtants. I never heard him make uſe of any expreſſions of diſloyalty, or that he would attempt to get the bill repealed by force of arms; quite otherwiſe, he was always peaceable and moderate, all the meetings were open and public, ſome people came who were ſuppoſed to be papiſts and created diſturbances; a perſon ſpeaking diſreſpectfully of the biſhops was reprimanded, and a rule was eſtabliſhed, that no reflection ſhould be made on any one, nor any inflammatory ſpeech be permitted. I was preſent at the meeting on the 29th of May, the priſoner

had, at a previous meeting held at the Crown and Rolls, agreed to take the chair on that night. A motion was made, whether the Aſſociation ſhould attend the Petition; it was over-ruled, but the queſtion was not regularly put, ſome were for it, and ſome were againſt it, and there was a confuſion. The priſoner came to the next committee meeting, which was held in Beaufort buildings, he ſpoke to every one of the committee, which conſiſted of about eleven or twelve perſons, ſeparately, to know their opinions about another meeting, and then deſired them to hold up their hands; and they all were for it but the ſecretary; an advertiſement was then publiſhed for another meeting. I was one of the committee on the 29th of May; his Lordſhip came to us in a ſide room, and read the heads of what he propoſed to ſay before the Aſſociation. The committee, at a former meeting, would have poſtponed the preſenting the petition to another ſeſſion of parliament, as that preſent ſeſſion was ſo far advanced; and they went ſo far as to ſend to the priſoner for the petition. I was at that time the only one againſt deferring it; but afterwards, at the meeting held before the 29th of May, the committee were perſuaded by the arguments of his lordſhip. After his lordſhip had read the heads of what he intended to propoſe, he took the chair, and told the Aſſociation (which was very numerous) that he had been informed they were averſe to going up with the petition that year, and he begged to know it from themſelves. All parts of the hall immediately cried out, No, no. He then put the queſtion, Whether they ſhould attend? and they were unanimous that they ſhould. He then read ſome reſolutions, and propoſed a time and place for adjourning the meeting to, which was on the ſecond of June, in St. George's Fields. They were to be in diviſions, that his lordſhip might go from one to the other, and learn the ſenſe of the whole. He mentioned that it had been repeatedly ſaid, that it was a very eaſy thing to ſubſcribe four or five hundred names to a petition, and therefore it

was

was neceſſary for thoſe who had ſigned to appear, in order to convince the world that the names were not fictitious. He propoſed to them to make uſe of cockades, to diſtinguiſh themſelves from others, and that he would meet them in the fields at ten o'clock in the morning; an early hour was objected to by ſome, leſt ſome of the people might get drunk; to which his lordſhip anſwer'd, there was no fear of that, for Proteſtant Aſſociators were not drunkards. Somebody obſerved, that the aſſembling of ſuch a number of people might cauſe the military to be drawn out. His lordſhip ſaid he apprehended not, as they would behave orderly, which he ſtrongly recommended, and deſired that they would not ſo much as carry ſticks in their hands; he deſired that no one would return a ſtroke, and reminded them of this religious maxim, "If they ſmite thee on one cheek, turn thou the other alſo." He begged that any one that was riotous might be given up to the civil power, and even himſelf if he were riotous. During the meeting his lordſhip behaved peaceable, and never made uſe of one inflammatory expreſſion.

Croſs Examination, in behalf of the Proſecution.

Q. Coachmakers-hall was very full I ſuppoſe?

W. It was; ſo were all the avenues. There might be more without than within. They could not all hear what his lordſhip ſaid, but thoſe who did repeated it to the reſt.

Q. Was it not ſettled in the hall that the whole body ſhould go out with the petition?

W. The mode of preſenting it was to be ſettled in the fields.

Q. How was the priſoner to take the ſenſe of forty thouſand people in the fields?

W. I don't know. I did not go into the fields.

Q. Why did you not?

W. I had parochial duty to perform, which I conſidered to be indiſpenſable.

Q. Had you no other reaſon—What was your opinion of preſenting the petition in that way?

W. I did not think it expedient to preſent it ſo, and many of the committee were of my opinion.

Q. Did it not occur to you that it was too late, and that a bill could not be then carried through the houſes and paſſed?

W. There was time, if it were carried through in as ſhort a time as Sir G. Saville's was.

Lord Stormont. I was attending his Majeſty, with others of his confidential friends, on the morning of Wedneſday the 7th of June, at Buckingham-houſe. About ten o'clock a page ſcratched at the door. I went out. He brought word that the priſoner was at the gate, and deſired to ſee his Majeſty. I ordered him to be ſhewn into a room, and went to him. I aſked him what he wanted. He ſaid, to ſee the King, becauſe he could be of eſſential ſervice in ſuppreſſing the riots. I went with this meſſage, delivered it exactly; and the anſwer I brought back to the priſoner was this: "It is impoſſible "for the King to ſee Lord George Gordon till he has "given proofs of his loyalty, by uſing thoſe means, "which he ſays he has, to ſuppreſs the riots." The pri- "ſoner ſaid, "If he might preſume to reply, it was to "ſay, he would uſe his beſt endeavours."

Thomas Evans. I am a member of the Proteſtant Aſſociation. I was in St. George's Fields on the ſecond of June. I was coming through Bridge-ſtreet, Weſtminſter, in my carriage, when I was ſtopt by Mr. Smith, the Guildhall-keeper at Weſtminſter; who ſaid he had ſomething particular to communicate to the priſoner, or the Proteſtant Aſſociation. He then told me, that ſome journeymen weavers, and other low people, had been obſerved to aſſemble, and that he was apprehenſive there would be a riot.

I went into St. George's Fields, and ſaw the priſoner in the middle of the Scotch diviſion. I had never ſeen him before. I got to him, mentioned to him that Smith had

had told me of the aſſembling of the journeymen weavers, and that there would be a riot, if more than twenty or thirty people came up with the petition. I then aſked the priſoner, if the whole body was to attend him? He ſaid, by no means. His plan was to go alone, and preſent it. I told his lordſhip I was glad of it; and aſked him, whether I might tell the people ſo? He ſaid, "with all my heart." I immediately told them, that they were to remain in the Fields, and that the priſoner was to go alone. I then went to the other end of the Fields, to tell the other diviſions, and I found to my great ſurprize the people formed in a marching order, ſix in a row, with their faces towards the Borough. I got out of my coach, went up to them, and aſked them, what they were going to do? They ſaid, to march thro' the City. I told them, they muſt not go out of the Fields, and repeated to them what Smith had told me. They anſwered, I need not be afraid, for they were determined not to make any riot. Somebody preſent ſaid, that as I appeared ſo zealous in the buſineſs, I might go over Black Friars Bridge, and ſtop them on Ludgate-Hill; but I thought it would be to no purpoſe, and therefore I went home.

John Spinnage. I ſaw the priſoner in St. George's Field's, and Smith having mentioned to me his apprehenſion of a riot, I went up to the priſoner, and told him, I hoped he did not intend to bring any part of that body of people over the bridge. He ſaid, No, by no means; I mean to go to the Houſe alone. The people were then very quiet and peaceable, and were decently dreſſed; they had no weapons, and they did not appear to me to be of the lower claſs.

Mrs. Wittingham. I ſigned the petition; I was in St. George's Fields in a coach on the 2d of June; the priſoner came to the coach door; he appeared to me to be greatly fatigued; I deſired he would get into the coach; after he was in, a great number of perſons crowded round the coach, and ſeveral of them wanted to attend him;

him; but he refuſed to be attended by them. He ſaid he was much obliged to them for their offer; but he wiſhed to go to the Houſe alone. Accordingly the coach drove off, and I ſet his lordſhip down at the Houſe of Commons.

Alexander Johnſon. I was one of the petitioners. I went in the London diviſion through the City to New Palace Yard, I was in the end of the proceſſion; we did not find any people there. I went to dinner in the Strand with ſome friends, and about ſix or ſeven o'clock in the evening we were told that there were great diſturbances in Palace Yard. They propoſed that we ſhould go down, and endeavour to put a ſtop to the diſturbances: I was againſt going, and told them the perſons who made thoſe diſturbances, were not friends to us or our cauſe, and that we had therefore better ſtay where we were; but my friends perſuaded me to go. When we came there, I ſaw about twenty boys, and three or four men ſtop a carriage; I went, and aſked them why they did ſo? one of the men ſaid they had authority; I ſaid, I have authority too, and I immediately laid hold of the man, and the carriage drove on. They afterwards ſtopt another carriage, in which was an old gentleman; he told them he was as ſerious a friend to the Proteſtant cauſe as any of them. The people who compoſed this mob, were not thoſe that were in St. George's Fields, nor like them; they were chiefly lads. I did not know that the Aſſociation were then at the Houſe, and I had no other reaſon for going down to Palace Yard, than to quell the riots.

Alexander Frazer. I ſigned the petition, and was in St. George's Fields on Friday, the 2d of June. I came over Weſtminſter bridge before the body of the aſſociation; I then ſaw many people on the Weſtminſter ſide of the bridge; they looked ſhabby; had blue cockades, but I do not think they were of the aſſociation, becauſe many of them were in liquor, though it was not more than twelve o'clock. I ſpoke to one man, and aſked

him,

him, if he was of the aſſociation? His anſwer was, "No, by God, this is my aſſociation," ſhewing a great club. On his croſs examination, he ſaid, I think the confuſion began about one o'clock. People were pulled out of their carriages, by perſons who had blue cockades; but they were not ſuch perſons as I had before ſeen near Weſtminſter bridge.

Sir Philip Jennings Clerke. I happened to be, on the 2d. of June, in St. George's Fields, on horſeback; there were vaſt numbers of people going different ways; they were pretty well dreſſed, and ſeemed to be of the better ſort of tradeſmen. I aſked ſeveral of them why they aſſembled, and what they wanted to have done: they ſaid they wanted an end put to the public teaching and preaching of the papiſts. I afterwards, in my way to Palace-yard, ſaw thouſands of the ſame ſort of people that I had ſeen in the morning. I ſaw the people that were in the lobby of the Houſe of Commons, but they appeared to me to be a different claſs of people, and of a lower ſort. I heard ſome part of what the priſoner ſaid to the people in the lobby: I alſo heard him ſay, "the member for Briſtol is now ſpeaking; he is not a friend to your petition, but take notice I give you no advice, unleſs it be that you be temperate and firm.— On his croſs examination, he ſaid, there was no ſpeaking in the Houſe on the Friday for ſome time, as the lobby was quite full of people with blue cockades, who prevented the Houſe from dividing. I heard ſome members deſire lord George to requeſt them to go away. On the Friday I went away with lord George in Sir James Lowther's coach; on the Tueſday there was a diviſion upon a motion for taking the petition into immediate conſideration. I was for taking it into conſideration, becauſe I then thought that a petition from forty thouſand people deſerved the attention of the legiſlature, and I think ſo ſtill. I happened to be next the priſoner as we came out of the Houſe on the Tueſday; I ſaid to him, you muſt be my protector, and I took hold of his arm. We

were

were much incommoded by the crowd, and when we were near the Thatch'd Houſe Tavern, the priſoner ſeeing a carriage ſtanding at the door, belonging to a Mr. Wiggan, with whom he was acquainted, he aſked him to lend it, which he did; and I got into it with the priſoner. As ſoon as we were in, the people took off the horſes, and drew the carriage through the city. As I was merely an accidental paſſenger, and had an engagement to dinner at Whitehall, I wanted to get out of the carriage, but I could not. They ſaid they muſt ſtop at the Manſion houſe, to give the Lord Mayor three cheers. They then drew the carriage to Mr. Alderman Bull's, where I was confined by the populace for ſome time; during which his lordſhip often ſaid to them, "While you continue thus riotous, the Houſe will do nothing;" and he intreated them, with great earneſtneſs, to behave quietly, and go home. He concluded with obſerving that he thought his Lordſhip an innocent and perſecuted man.

John Turner. I was in St. George's Fields on Friday the ſecond of June; I heard the priſoner deſire the people to be quiet, for that nothing would give ſo much weight to their petition, as good order and decent and peaceable behaviour. He told them he had been informed that ſome riotous people would mix with them; but he hoped they would not be led away by any ſuch perſons.

Sampſon Hodgkinſon. I was in St. Georges's Fields on the Friday, and I heard Lord George addreſs the people in one of the rings; he deſired them to be peaceable. The enemies of their cauſe might attempt to raiſe ſome diſorder, he ſaid, which would be imputed to them, and therefore they ought to prevent it. He told them they ought to be cautious not to lay any foundation for tumult, and to adhere ſtrictly to the ſcripture rule, "If ſtruck on one cheek, to turn the other." And to prevent any diſturbance he deſired that not more than twelve of them would go up with the petition. All the people that were in the diviſion

diviſion in which I went, behaved very peaceably; and if any perſon gave any encouragement to be otherwiſe, they dropt their hands to ſhew they did not approve of it.

Sir *James Lowther.* I went out of the Houſe after the guards arrived; Sir Philip Clerke was with me. Sir George Saville joined us, and Sir John Irvin and Colonel Luttrel met us alſo in Mrs. Bennet's room with a blue cockade in his hat. I carried Lord George home, with Sir Philip Clerke; and in the way the populace aſking if the bill was to be repealed? Lord George anſwered he did not know—he hoped it would, and he earneſtly exhorted them to depart peaceably.

Mrs. Hume. I was a ſervant to Lord George Gordon in June laſt; I recollect his coming home on Friday the 2d of June before eleven o'clock; and he did not go out again that night. He was at home on the Saturday, Sunday, and Monday following.

Croſs Examination.

Q. Was he at home the whole of thoſe days?

W. I don't recollect that; but I know he was at home ſome part of each day.

Priſoner's Counſel. My Lords, if the Court think it at all neceſſary, we are ready to prove where the noble Lord was every hour of thoſe days.

Alderman Pugh. I was Sheriff at the time of the late riots; I recollect that I was in the ſame coach with the priſoner on Wedneſday the 7th of June laſt. A paper was handed into the coach by a man who appeared to be in great diſtreſs, and ſaid, he was afraid his houſe would be burnt down. The paper was brought ready written; he begged his Lordſhip to ſign it, which he did. I think, however, that he heſitated. I did not ſign that, or any ſuch paper.

Here the evidence for the priſoner was cloſed.

Mr. Erſkine. Gentlemen of the Jury, Mr. Kenyon having informed the court that we propoſe to call on no other witneſſes, it is now my duty to addreſs myſelf to

you as counſel for the noble priſoner at the bar, the whole evidence being cloſed. In nothing, Gentlemen, is the wiſdom and juſtice of our laws ſo ſtrongly and eminently manifeſted, as in the rigid, cautious, explicit definition of what ſhall conſtitute this high offence, of which the noble priſoner ſtands charged; for High Treaſon conſiſts in the breach and diſſolution of that allegiance which binds ſociety together. If it were left ambiguous, uncertain, or undefined, all the other laws eſtabliſhed for the perſonal ſecurity of the ſubject would be utterly uſeleſs.

When I ſpeak of the ancient law of treaſon, I mean the venerable ſtatute of King Edward the Third, on which the indictment you are now trying is framed; a ſtatute made, as its preamble ſets forth, for the more preciſe definition of this crime, which had not by the common law been ſufficiently explained, and conſiſting of different and diſtinct members, the plain unextended letter of which was thought to be a ſufficient protection to the perſon and honour of the Sovereign, and an adequate ſecurity to the laws committed to his execution.

I ſhall mention only two of the number, the others not being in the remoteſt degree applicable to the preſent accuſation.

To compaſs or imagine the death of a King; ſuch imagination or purpoſe of the mind, viſible only to its great Author, being manifeſted by ſome open act; an inſtitution obviouſly directed not only to the ſecurity of his natural perſon, but to the ſtability of the government.

Secondly, which is the crime charged in the indictment, *to levy war againſt him in his realm*; a term that one would think could require no explanation; the real meaning of which, as it is bottomed in policy, reaſon, and juſtice, I ſhall endeavour to impreſs upon your minds, as a ſafe, unerring ſtandard, by which to meaſure the evidence you have heard.

Gentlemen, I call ſolemnly on the Judges to attend to what I ſay, and to contradict me if I miſtake the law of

Treaſon,

Treaſon, which conſiſts in premeditated open act, of violence, hoſtility, and force—nothing equivocal nothing ambiguous, no intimidations, or overawings, which ſignify nothing preciſe or certain, becauſe what frightens one man, or ſet of men, may have no effect upon another; but that which compels and coerces. Open violence and force, gentlemen, this is not only the whole text, but an accurate explanation of the ſtatute of Treaſon, as far as it relates to the preſent ſubject, taken in its utmoſt extent of judicial conſtruction; and which you cannot but ſee is confined to acts, which immediately, openly, and unambiguouſly, ſtrike at the very root and being of government.

Such were the boundaries of high treaſon marked out in the reign of Edward the Third, and as often as the vices of bad Princes, aſſiſted by weak, ſubmiſſive parliaments, extended ſtate offences beyond the ſtrict letter of that act, as often the virtue of better princes and wiſer parliaments brought them back again.

Gentlemen, in theſe mild days, when Juries are ſo free, and Judges ſo independent, perhaps theſe obſervations might have been ſpared, as unneceſſary; but they can do no harm—and this hiſtory of treaſon ſo honourable to England, cannot, even imperfectly as I have given it, be unpleaſant to Engliſhmen. At all events it cannot be thought an inapplicable introduction to ſaying, that Lord George Gordon, who ſtands before you indicted for that crime, is not, cannot be guilty of it; unleſs he has levied war againſt the King in his realm, contrary to the plain letter, ſpirit, and intention of the twenty-fifth of Edward the Third, to be extended by no *new or occaſional conſtructions, to be ſtrained by no fancied analogies, to be meaſured by no rules of political expediency, to be judged of by no theory, to be determined by the wiſdom of no individual, however wiſe; but to be expounded by the ſimple genuine letter of the law.*

Gentlemen, the only over-act charged in the indictment, is the aſſembling the multitude, which we all of

us remember went up with the Petition of the Aſſociated Proteſtants on the 2d day of laſt June. And in addreſſing myſelf to a humane and ſenſible Jury of Engliſhmen, ſitting in judgment on the life of a fellow-citizen, more eſpecially under the direction of a court ſo filled as this is, I truſt I need not remind you that the condition, purpoſes, and behaviour of that multitude, as originally aſſembled on that day, and the purpoſes and acts of him that aſſembled them, are the ſole objects of inveſtigation; and that all the diſmal conſequences which followed, and which naturally link themſelves with this ſubject in the firmeſt minds, muſt be altogether cut off and abſtracted from your attention, further than the evidence warrants their admiſſion. Indeed, if the evidence had been coextenſive with theſe conſequences—if it had been proved that the ſame multitude, under the direction of Lord George Gordon, had afterwards attacked the Bank, broke open the priſons, and ſet London in a conflagration, I ſhould not now be addreſſing you. Do me the juſtice to believe, that I am neither ſo fooliſh as to imagine I could have defended him, nor ſo profligate to wiſh it, if I could. But when it has appeared, not only by the evidence in the cauſe, but by the evidence of the thing itſelf, by the iſſues of life, which may be called the evidence of Heaven, that theſe dreadful events were either entirely unconnected with the aſſembling of that multitude to attend the Petition of the Proteſtants, or, at the very worſt, the unforeſeen, undeſigned, unabetted, deeply-regretted conſequences of it, I confeſs the ſerioufneſs and ſolemnity of this trial ſink and dwindle away. Only abſtract from your minds all that misfortune, accident, and the wickedneſs of others have brought upon the ſcene, and the cauſe requires no advocate. When I ſay that it requires no advocate, I mean that it requires no argument to ſcreen it from the guilt of treaſon. For though I am perfectly convinced of the purity of my noble friend's intentions, yet I am not bound to defend his prudence, nor to ſet him up as a pattern for imitation;

ſince

ſince you are not trying him for imprudence, for an indiſcreet zeal, or for want of foreſight and precaution, but for a deliberate and malicious pre-determination to over-power the laws and government of his country by hoſtile rebellious force.

The indictment firſt charges, that the multitude aſſembled on the 2d of June were armed and arrayed in a warlike manner; but I'm entitled to ſay, that the evidence does not ſupport this charge; but, that on the contrary, it is manifeſtly falſe—falſe in the knowledge of the crown which proſecuted the indictment—falſe in the knowledge of every man in London, who was not bedridden on Friday the 2d of June, and who ſaw the peaceable demeanour of the aſſociated proteſtants. But even ſuppoſing this peaceable multitude, though not hoſtilely arranged, though aſſembled without plot or diſguiſe by a public advertiſement, exhorting, nay, commanding peace, and inviting the magiſtrates to be preſent to preſerve it if broken, though compoſed of thouſands who are now ſtanding around you unimpeached and unreproved, yet who are all principals in treaſon, if ſuch aſſembly was treaſon; ſuppoſing, I ſay, this multitude to be nevertheleſs an army within the ſtatute, ſtill the great queſtion would remain behind, on which the guilt or innocence of the accuſed muſt ſingly depend, and which it is your excluſive province to determine, namely, whether they were aſſembled by my noble client for the traiterous purpoſe charged in the indictment. For war muſt not only be levied, but it muſt be levied againſt the King in his realm, or to ſuppreſs the laws committed to his execution, by rebellious force. You muſt find that Lord George Gordon aſſembled thoſe men with that traiterous intention: you muſt find not merely a riotous illegal *petitioning*, not only a tumultuous, indecent importunity to influence parliament, *but the abſolute unequivocal compulſion of force*, from the hoſtile acts of numbers united in rebellious conſpiracy and arms.

It is neceſſary that the indictment ſhould charge an open

open act; but this is the language of the indictment now lying before our eyes? What does it ſay? It charges, that the priſoner, "maliciouſly, and traiterouſly, did *compaſs, imagine, and intend to raiſe and levy war and rebellion againſt the King.*" This is the malice prepenſe of treaſon; and that to fulfil and bring to effect ſuch traiterous compaſſings and intentions, he did, on the day mentioned in the indictment, actual aſſemble them, and levy war and rebellion againſt the King. Thus the law, which is made to correct and puniſh the wickedneſs of the heart, and not the unconſcious deeds of the body, goes up to the fountain of human agency, and arraigns the lurking miſchief of the ſoul. The hoſtile mind is the crime, and therefore unleſs the matters which are in evidence before you do, beyond all doubt or poſſibility of error, convince you that the priſoner is a determined traitor in his heart, the priſoner is not guilty.

You are called upon your oaths to ſay, not whether Lord George Gordon aſſembled the multitudes in the place charged in the indictment, for that is not denied; but whether it appears, by the facts produced in evidence for the Crown, when confronted with the proofs which we have laid before you, that he aſſembled them in hoſtile array, and with a hoſtile mind, to take the laws into his own hands by main force, and to diſſolve the conſtitution of the Government, unleſs his petition ſhould be liſtened to by parliament.

Gentlemen, you have now heard the law of Treaſon, firſt in abſtract, and ſecondly, as it applies to the general features of the caſe; and you have heard it with as much ſincerity as if I had addreſſed you upon my oath from the Bench, where the Judges ſit. I declare to you ſolemnly, in the preſence of that Great Being, at whoſe higher bar we muſt all hereafter appear, that I uſed no one art of an advocate, but have acted the plain, unaffected part of a chriſtian man, inſtructing the conſciences of his fellow citizens to do juſtice.

I come now, gentlemen, to the application of the evi-

dence

dence to the doctrines I have laid down. It is already in proof before you, that an act of Parliament paſſed in the ſeſſions of 1778, for the *repeal* of certain reſtrictions, which the policy of our anceſtors had impoſed upon the Roman Catholic Religion, to prevent its extenſion, and to render its limited toleration harmleſs.

It was indeed with aſtoniſhment that I heard the Attorney General ſtigmatize thoſe wiſe regulations of our patriot anceſtors with the title of factious and cruel impoſitions on the conſciences and liberties of our fellow citizens.

Gentlemen, they were, at that time, wiſe and ſalutary regulations; regulations to which this country owes its freedom, and his Majeſty his crown, a crown which he wears under the ſtrict entail of profeſſing and protecting that religion which theſe acts were made to repreſs, and which I know my noble friend at the bar joins with me, and with all good men, in wiſhing that he and his poſterity may wear for ever.

2 support

Soon after the repeal of the act, the proteſtant Aſſociation began, and from ſmall beginnings extended over all England and Scotland. A deed of aſſociation was ſigned by all legal means to oppoſe the growth of Popery, and which of the advocates of the Crown will ſtand up and ſay, that ſuch an union was illegal? Their union was perfectly conſtitutional; there was no obligation of ſecrecy; their tranſactions were all public; a committee was appointed for regularity and correſpondence, and circular letters were ſent to all the dignitaries of the church, to join with them in the protection of the national religion.

Gentlemen, all this happened before Lord George Gordon was a member of, or the moſt diſtantly connected with it; for it was not till November, 1779, that the London Aſſociation made him an offer of their chair, by an unanimous reſolution communicated to him, unſought, in a public letter, ſigned by the Secretary in the name of the whole body.

Mr.

Mr. Erſkine now proceeded to comment on the Crown evidence. To follow him through the whole of this commentary, would be to recapitulate every ſentence almoſt in the long detail of evidence. We ſhall only mention, conciſely, ſome of his moſt ſtriking objections.

Concerning the firſt witneſs, Hay, he ſaid it would be inſulting the good ſenſe of the Jury to ſuppoſe his teſtimony had any weight with them, or that the ſcandalous manner in which it was given could have eſcaped their penetration; that man had confeſſed himſelf a bankrupt in fortune, but he muſt have been more a bankrupt in conſcience, to give ſuch an evidence in a caſe like the preſent. He had firſt requeſted to aſſiſt his memory by notes, and had ſaid they were taken at the time. Afterwards, on his croſs-examination, when aſked, Why he took them? He had ſcarce ſcrupled to avow it was done with the officious zeal of an informer, in hopes, or as he expreſſed it, in fear, that ill conſequences would reſult from thoſe meetings his evidence referred to. Being aſked when he firſt entertained ſuch apprehenſions, he anſwered, " in the Aſſociation meeting in the month of February;" and yet the notes he had produced were taken the month before. To get out of this contradiction, he ſaid that he always took notes in public aſſemblies, which he attended when there was any likelihood of dangerous conſequences, and being preſſed to name one inſtance of his having done ſo before, named, *after much heſitation*, the General Aſſembly of the Kirk of Scotland. Was there ever ſuch wretched inconſiſtency and evaſion as this? To ſupport his ſcandalous equivocation, he could invent no more probable ſtory, than that he ſought for treaſonable expreſſions in a venerable aſſembly like that of the Church of Scotland, whoſe deliberations were wholly on religious topics.

Agreeable with this was his identification of the flagman at the burning of the fleet priſon. Well informed no doubt that for the purpoſe of the proſecution, it would be neceſſary to prove the rioters and the petitioners to have

have been the ſame people, he ſwore that the ſame man bore the flag through Fleet-ſtreet in the proceſſion, and at the ſubſequent conflagration of the Fleet-priſon.

It was naturally aſked "by what marks did you diſtinguiſh him?" The witneſs was quite at a loſs, but at length anſwered, "Why he looked like a brewer's ſervant." On this another queſtion aroſe, "what peculiarity is there in a man of that deſcription?" He was ſtruck dumb again; and not till after long heſitation made ſhift to reply, "it was ſomething in his dreſs:" though it appears that on the firſt day, like the reſt of the petitioners, he was dreſſed in his Sunday's cloaths!—But with all the incredibility of this teſtimony, he was willing to allow it its full weight! and had only pointed out the man's depravity, to diſplay the features of that proſecution in general; and it would ſerve to ſhew the Jury how bad that cauſe muſt be which required witneſſes like this to ſupport it.

On the evidence of Mr. Metcalf, and Mr. Anſtruther, he argued nearly to the ſame effect.—Obſerving on the former, who ſpoke to the Aſſociation meetings, how ſtrong a proof it was that nothing illegal was intended by that body, when ſpies like this man, and Mr. Hay, were ſuffered to attend their deliberations.

He then came to the fourth witneſs, the Rev. Mr. Bowen. This Gentleman had ſworn, that the noble priſoner had ſaid in the Lobby, "the Scotch got no redreſs till they pulled down the maſs-houſes." It was very remarkable, that he was the only witneſs who mentioned thoſe words, though many had been examined, who were preſent at the ſame time in the Lobby, and it was a ſubject for the Jury's recollection that he had confeſſed being much agitated at the time: But there was ſomething in this evidence ſo remarkable, that he believed nothing like it could be found in the annals of judicial proceedings; he begged the Jury to give the cloſeſt attention, for it was of ſingular importance. Previous to theſe words, if the noble priſoner actually uſed them, it appeared from

the ſame witneſs, that he ſaid to the crowd, "be *quiet*, *peaceable*, and *ſteady*."

The harſheſt conſtruction could ſurely ſcarce impute any criminality of intention to his noble friend on account of this language, taking the whole together as already ſtated: but who could attend to the ſequel without being aſtoniſhed?—After what had been already commented upon, Mr. Bowen ſaid that his Lordſhip uſed theſe words: "beware of evil minded perſons who will mix among you and excite you to miſchief, the blame of which will be imputed to you." Good God! was it poſſible that any words whatever could be adduced in evidence againſt a man, when accompanied with ſuch a context, and ſuch a concluſion! Without being ſuperſtitious, he muſt believe that providence directed his innocent friend to clear up thus his own character, had made the malice of his proſecutors conſpicuous. As to his laſt words, the event would almoſt make one pronounce them prophetic, for the prediction they contained had too well been verified.

He next went over the evidence which had been given on the part of the priſoner, and particularly that of Mr. Middleton. From the whole tenor of Mr Middleton's teſtimony, he drew this inference, That the conduct of his noble friend had been unpremeditated, and that the only end he meant to obtain was the object of the Proteſtant Petition. As to his inſiſting upon 20,000 men going up with the petition, it was thus vindicated. The miniſtry had always endeavoured, he ſaid, to diſcountenance the petitions of the people, by denying that they were the act of ſuch numbers as appeared to have ſubſcribed them. To the Proteſtant Aſſociation this objection had been repeatedly urged in the Houſe of Commons, and his Lordſhip's pride was concerned in evincing that he had not uſed ſo contemptible an impoſition on the Houſe as that alledged againſt him, which there was no other way to effect but that he adopted. In doing of this, he only aſſerted the indiſputable right of the

ſubject.

ſubject. When his Lordſhip directed the aſſociators to aſſemble all in their beſt cloaths, it was obvious he meant to make the petition reſpectable by their decent appearance; and when he ſolicited the magiſtrates to attend, it was equally apparent he intended a peaceable demeanour. It was impoſſible to ſuppoſe, that the noble priſoner could foreſee the conſequences which flowed from the meeting in St. George's fields, for theſe events were inſcrutable even to the ſearching eye of government. Nobody could foreſee that a contemptible rabble would mix with ſo reſpectable a body, and purſue meaſures the reverſe of theirs; nobody could foreſee that the loyal and conſtitutional act of petitioning the legiſlature, would give enemies to the cauſe a pretence for riots and commotions; nobody could foreſee that puſillanimous councils would prevail, while a wretched mob of women and children were allowed to lay the capital in aſhes: government therefore could not be cenſured for want of prudence or caution, any more than the noble Lord could be charged with thoſe unforeſeen effects. On the whole, he did not mean to contend that the priſoner had not been raſh and inconſiderate, in propoſing the meeting of June the 2d; it was not raſhneſs or inconſiderateneſs of which he was now to be tried, but High Treaſon; and if it was indeed treaſonable to call that meeting, every member of the Proteſtant Aſſociation had been equally criminal with his Lordſhip. He could not anſwer they were not unknown; for a book had been compiled, containing the names of all the Aſſociators, that none of them might ſit in judgment on his Lordſhip.

He then adverted to the *protection* given by Lord Gordon, and inveighed againſt the Crown Lawyers, in the moſt poignant terms, for bringing in evidence againſt the priſoner a paper that did him the higheſt honour, as it reſulted from his humanity, and obedience to his Majeſty's commands. Beſides, was it not known to Government, that ſimilar protections had been iſſued by Mr. Fiſher, Secretary to the Aſſociation.

Mr.

Mr. Erſkine concluded with a moſt pathetic application to the feelings of the Jury. He appealed to the rectitude of their judgment. Called, as they were by the Crown, to imbrue their hands in the blood of his amiable, innocent, young friend, they would deliberate ſeriouſly on the evidence before them; they would expect the ſtrongeſt, moſt unequivocal proofs of criminality before they would convict; and would determine in ſuch a manner as to ſecure themſelves from any future reproaches of conſcience, when reflection might come too late. He called upon the God of Truth to inſpire them with wiſdom, and regulate their deciſion by the dictates of truth and juſtice, that ſo his noble friend might be reſtored to freedom, and himſelf to that tranquility of which he had long been deſtitute.

Mr. Solicitor General, in reply, ſaid this proſecution has been called ill-grounded and malicious, and the conduct of the Attorney-General has been boldly and harſhly arraigned. I declare, that had I been in the place of the Attorney-General, I muſt have brought the priſoner to trial, for there certainly were ſtrong appearances of guilt. Whether ſufficient to convict him, is the province of you, Gentlemen of the Jury, to determine; but it was the duty of thoſe intruſted by the Crown, to have the matter enquired into by a jury. That an inſurrection was raiſed is clear: the mob made priſoners of the Houſe of Commons; they are told the Houſe cannot divide, or go on with the buſineſs, till they retire: The Houſe was obliged to be ſet at liberty by means, which I hope never to ſee occaſion to uſe again—by a military force! Gentlemen, if you think we have not proved the caſe, acquit him, and no one will murmur at it; but if it appears to you, that the priſoner, incited, encouraged, and conducted the mob, what muſt be the conſequence? No conſideration of rank and fortune will make you forget juſtice; every man will lament the fate of the priſoner; but if you think he is ſo, you muſt find him Guilty.

Lord Mansfield. Gentlemen of the Jury, the priſoner at

at the bar ſtands indicted for High Treaſon, for levying Public War againſt the King.—Gentlemen, there are two points for your conſideration; firſt, whether the multitude aſſembled, and did acts of violence, to intimidate the legiſlature, and to obtain by force, a repeal of the bill; ſecondly, whether the priſoner was privy to, aided, incited, or encouraged them. Now I will ſtate to you the evidence that has been given, to prove his Lordſhip's conduct with reſpect to the Proteſtant Aſſociation. The firſt in point of chronology, is the Reverend Mr. Middleton.

Then his Lordſhip ſummed up that part of the evidence of Mr. Middleton which related to the meeting of the Proteſtant Aſſociation previous to the 29th of May; and alſo to the evidence of William Hay, and what came out on his croſs-examination.

Then his Lordſhip proceeded to ſum up the evidence of William Metcalf, John Anſtruther, the Reverend Mr. Bowen, and Mr. Cator; and having done ſo, he ſaid the other evidence for the Crown was not material as to the priſoners own conduct. Here he was interrupted by the priſoner, who deſired him to ſum up the evidence of Richard Peirſon, which his Lordſhip acordingly did, and was proceeding to the evidence of the next witneſs, when he was interrupted again by the priſoner, who told his Lordſhip, he had omitted a part of Peirſon's evidence materially in his favour; it was, that the priſoner waved his hand as a ſignal to the mob, to let the members paſs through the Lobby to the Houſe. Lord Mansfield then repeated it to the Jury, and he particularly deſired, that the other judges would correct him if he misſtated or omitted any part of the evidence, and that the jury would look at their own notes His Lordſhip then went through the remainder of the evidence for the Crown, and the whole of the evidence for the priſoner.

Gentlemen, upon this evidence, ſeveral conſiderations ariſe as to the number of the people, their object, all which I leave to you. And as I ſaid before, there are

two

two points for your conſideration, firſt, whether the intent of the mob was, by aſſembling and committing acts of violence, to intimidate, or by force, to compel the legiſlature to comply with their petition; and ſecondly, whether the priſoner aided, incited, adviſed, or encouraged them to aſſemble or commit acts of violence for that purpoſe. If you are of opinion that they did not intend to intimidate the legiſlature, or compel the repeal of the bill by force, or that the priſoner was not concerned in aiding or encouraging them, you will acquit him. If you think otherwiſe, you will find him guilty; always remembering, if the balance of evidence hangs doubtful, to incline on the ſide of Mercy.

The Jury withdrew, an officer was ſworn to keep them, and in about half an hour they returned, and were called over.

Clerk of the Crown. Lord George Gordon, hold up your hand.

Gentlemen of the Jury—look upon the priſoner—how ſay you—Is he guilty of the indictment wherewith he ſtands charged, or not guilty?

Foreman. NOT GUILTY.

Clerk of the Crown. You ſay he is not guilty, and ſo you ſay all.

This Trial began at half paſt eight on Monday morning, and the Jury brought in their Verdict at Five on Tueſday morning.

FINIS